



# राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बुधवार, १३ फरवरी, १९९१/२४ मार्च, १९१२

हिमाचल प्रदेश सरकार

[Authoritative English text of this Department notification No. 9-23/88-Tpt. (Sectt.), dated 20-12-1990 as required under clause 3 of Article 348 of the Constitution of India is hereby published for the general information of the public].

TRANSPORT DEPARTMENT

NOTIFICATION

Shimla-2, the 20th December, 1990

**No. 9-23/88-Tpt.(Sectt.).**—Whereas in exercise of the powers conferred by sub-section (5) of section 88 of the Motor Vehicle Act, 1988, a draft of the Reciprocal Agreement proposed to be entered into by the Himachal Pradesh State and Rajasthan was published in Rajpatra, Himachal Pradesh (Extraordinary) dated 25-9-1989 issued vide this Department notification of even number, dated 7-9-89, for inviting objections/suggestions from the persons likely to be affected thereby in pursuance of the provisions of sub-section (5) of section 88 of the Motor Vehicle Act, 1988;

And whereas no objection/suggestion has been received from any person within the period specified for the purpose.

Now, therefore, in exercise of the powers conferred by sub-section (6) of section 88 of the Motor Vehicles Act, 1988 (Act No. 59 of 1988), the Governor of Himachal Pradesh is pleased to publish the reciprocal agreement in the Rajpatra, Himachal Pradesh to be entered into between Rajasthan and Himachal Pradesh States.

*Draft Reciprocal Agreement for State/Public Carriers between the States of Himachal Pradesh and Rajasthan.*

THIS AGREEMENT IS MADE THIS DAY OF 1989 BETWEEN THE GOVERNOR OF HIMACHAL PRADESH (HERE IN AFTER REFERRED TO AS THE GOVERNMENT OF HIMACHAL PRADESH, WHICH EXPRESSION SHALL INCLUDE HIS SUCCESSORS IN OFFICE ON THE ONE PART AND THE GOVERNOR OF RAJASTHAN (HEREINAFTER CALLED "THE RAJASTHAN GOVERNMENT" WHICH EXPRESSION SHALL INCLUDE HIS SUCCESSORS IN OFFICE) OF THE SECOND PART.

Whereas, in view of the rapid economic development of the country and with a view to encouraging movement of transport vehicles on Inter-State routes between the States of Rajasthan and Himachal Pradesh, and to regulate and control their operation, it is necessary to enter into a reciprocal agreement between the two States,

And whereas, the parties hereto desire that an agreement on the terms and conditions set out here in after may be executed between them.

Now this deed witnesses and the parties thereto hereby agree as follows:—

#### 1—STAGE CARRIAGES :

- (a) Inter-State routes for State Carriages shall mean the routes connecting the main nearest traffic points on either side of the border, penetration by passenger transport of either State being restricted into the aforesaid traffic points unless otherwise mutually agreed to in any particular case or cases.
- (b) As far as possible only State Transport Undertakings of the reciprocating State will be granted permits for plying services on Inter-State routes.
- (c) The maximum fares and freight chargeable will may be prescribed by the competent authority of each State for its own territory or as may be charged by the Nationalised Transport Undertaking in their territories.
- (d) Every Inter-State service shall be deemed as "Express service" irrespective of the distance between any of the two stoppage points. if however, the fare is charged for semi-deluxe and Deluxe the tax due to the concerned State shall be paid accordingly.
- (e) Any extension, modification or variation of any Inter-State routes in respect of portion lying in the other State shall be permitted after joint approval by the Transport Authority of both the State and the routes so extended or varied shall form part of this agreement.
- (f) State Carriage of either State operating in the other State by virtue of this agreement will be exempted from the payment of Road Tax but the Special Road Tax shall be payable in Rajasthan and Passenger Tax as per rules shall be payable in Himachal Pradesh.

- (g) A list of Inter-State routes and their agreed allocation of permits between the State of Rajasthan and Himachal Pradesh is appended as schedule to this agreement.

## 2—PUBLIC CARRIERS SUBSTANTIVE PERMITS) :

It is agreed that permits for 50 public goods vehicles shall be countersigned by the Transport Authority of either State on the recommendation of the State Transport Authority/Regional Transport Authority of the reciprocating State. The counter-signatures so granted shall be subject to the following conditions, namely:—

- (a) that public carriages operating under such counter-signatures shall be subject to such of the conditions specified in section 56 of the Motor Vehicles Act, 1989 and under Motor Vehicles Rules in force in that State as the concerned Transport Authority may deem fit to impose.
- (b) that public Carriers operating under counter-signatures by virtue of this agreement shall be exempted from the payment of Motor Vehicles Tax in the other State. They would, however, be liable to pay Goods Tax/Special Road Tax to the reciprocating States.
- (c) that the vehicles covered by the counter-signature shall not be used for picking up and dropping down the same goods at any two points lying within the jurisdiction of the reciprocating States.

## 3. GENERAL:

- (a) The reciprocating States shall accord recognition to tax tokens, conductor's licence, driving licence to drive public service vehicle authorisations in respect of the vehicles operating on Inter-State routes in accordance with this agreement.
- (b) The number and routes of Inter-State permits agreed to in respect of Stage Carriage in accordance with this agreement will be open to revision every year or carrier at the instance of Transport Authority of either States.
- (c) Whenever either State suspends or cancels a permit or counter signature of any inter-State operation intimation will be sent to the other State concerned to enable it to consider taking similar action for the cancellation or suspension of the permit or for such other action as it deems fit.
- (d) This agreement shall be valid till such time as new agreement between the States is arrived at or it is rescinded by mutual consent after issue of a three months notice on either side.

Sd/-  
(K. K. SAXENA)  
Transport Commissioner,  
and Secretary Transport Rajasthan,  
Jaipur.

Sd/-  
(AJAY MITTAL),  
Transport Commissioner,  
Himachal Pradesh, Shimla.

## STATEMENT FOR AGREEMENT BETWEEN THE STATE OF RAJASTHAN AND HIMACHAL PRADESH

| Sr. No. | Name of the route  | Route length in Rajasthan | Route length in Himachal Pradesh | Route length in Punjab | Route length in Haryana | Route length in Delhi | Total length |
|---------|--|---------------------------|----------------------------------|------------------------|-------------------------|-----------------------|--------------|
| 1       | 2  | 3                         | 4                                | 5                      | 6                       | 7                     | 8            |
| 1.      | Nurpur to Gharsana Mandi <i>via</i> Ganga Nagar                        | 160 km                    | 60 km                            | 332 km                 | —                       | —                     | 552 km       |
| 2.      | Jaipur to Shimla <i>via</i> Kotputli, Delhi, Ambala, Pachkula, Pinjore | 864 km                    | 98 km                            | 18 km                  | 250 km                  | 55 km                 | 585 km.      |

| Number of single trips by |                  | Servic km by Rajasthan in Himachal Pradesh | Service km by Himachal Pradesh in Rajasthan | Number of permits for Rajasthan | Number of permit for Himachal Pradesh |
|---------------------------|------------------|--|---|---------------------------------|---------------------------------------|
| Rajasthan                 | Himachal Pradesh |  |   |                                 |                                       |
| 9                         | 10               | 11   | 12  | 13                              | 14                                    |
| —                         | 1                | —  | 160   | 1                               | —                                     |
| 1                         | —                | 98   | —   | —                               | 1                                     |

Parties of km for Punjab, Haryana, Delhi will be adjusted when agreement is revised with these States.

Sd/-  
(K. K. SAXENA)  
Transport Commissinner  
and Secretary Transport  
Rajasthan Jaipur.

Sd/-  
(AJAY MITTAL),  
Transport Commissioner,  
Himachal Pradesh, Shimla.

By order,  
HARSH GUPTA,  
Commissioner-cum-Secretary.